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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/743,746      | 01/16/2001  | Gunter Schmidt       | PM 0276611          | 7741             |

909 7590 02/25/2003

PILLSBURY WINTHROP, LLP  
P.O. BOX 10500  
MCLEAN, VA 22102

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| EXAMINER |
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BARTS, SAMUEL A

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| ART UNIT | PAPER NUMBER |
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1621

DATE MAILED: 02/25/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| ART UNIT | PAPER |
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DATE MAILED:

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**Commissioner of Patents and Trademarks**

  
Samuel A. Barts  
Primary Examiner  
Art Unit: 1621

***Notice of Non-Responsive Amendment***

1. The reply filed on 10/02/02 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the elected species pointed to in the responded filed 10/02/02 appears to the examiner not to be embraced by the genus of claims 1 and 35. If the compound is encompassed by these claims, it is respectfully requested that applicant's representative particularly point out how the elected species is included in the broad concept.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel A Barts whose telephone number is 703-308-4630. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johan Richter can be reached on 308-1235. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-4556 for regular communications and 703-308-4556 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1235.

Application/Control Number: 09/743,746  
Art Unit: 1621

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Samuel A Barts  
Primary Examiner  
Art Unit 1621

s.b.  
2/24/03